

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

HON. JED S. RAKOFF

-against-

MONZER AL KASSAR,  
TAREQ MOUSA AL GHAZI, and  
LUIS FELIPE MORENO GODOY

NOTICE OF MOTION

07 CR. 354 (JSR)

Defendants

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TAREQ MOUSA AL GHAZI NOTICE OF MOTION

**PLEASE TAKE NOTICE**, that upon the annexed Memorandum of Law, the undersigned, on behalf of defendant Tareq Mousa al Ghazi, will move this court, before the Honorable Jed S. Rakoff, on a date and a time to be determined by the Court, for an order granting the following relief:

- a) Dismissing the Indictment on the grounds that the Government's undercover "sting" investigation of non-U.S. citizens in foreign countries violated the defendants' right to due process under the Fifth Amendment to the U.S. Constitution;
- b) In the event the court does not dismiss the indictment, the holding of a pre-trial hearing at which the factual issues related to defendants' due process claim may be examined by the Court;
- c) Removing surplusage from the indictment; and
- d) Permitting defendant to file additional, appropriate motions and reply papers, and to join in co-counsel's motions .



Marc Agnifilo, Esq.

(MA 7195)

BRAFMAN & ASSOCIATES, P.C.

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Dated: March 31, 2008

TO:

Honorable Jed S. Rakoff  
Roger Stavis, Esq.  
All assigned AUSAs  
Tareq Mousa al Ghazi